

Submitted Questions with Answers

1. Question: The solicitation seems prejudiced against all bidders except the incumbent team. From our experience in government contracting, including performance-based contracts, we find it is unusual for an 8(a) competitive solicitation not to provide more technical information. Absent additional technical information, all non-incumbent bidders are at a severe disadvantage. We question whether there are regulations or policies regarding performance-based contracting that justify not providing sufficient technical information to permit true competitive sourcing. Can the government cite the regulation or policy that justifies the government's performance based contracting approach? The answer to Question #61 does not address this issue.

Answer: FAR part 37.6 (Performance-Based Contracting).

2. Question: Please provide all the wage determination labor categories (e.g. General Clerk I, General Clerk II, General Clerk III, Driver/Messenger, etc.) and staffing levels (number of individuals in each position) for individuals that are currently working on this requirement. Without this information, it is impossible for prospective bidders, except for those working on the incumbent contractor team, to properly price this requirement. We do not understand the government's reluctance to provide this information and allow for competitive sourcing of this requirement. There is not sufficient time for bidders to obtain this information via a FOIA request and complete the price proposal to meet the submission deadline.

Answer: The following classes of service employees are expected to be employed under the resulting contract:

General Clerk II-IV.

Specific staffing levels utilized by the incumbent contractor are considered proprietary and therefore we are prohibited from releasing this information.

3. Question: Will the government provide the schedules (including times), routes, and mileage for each mail run? This question was not adequately addressed in the government's response to Question #40 where only the types and number of vehicles were provided. The answer to this question is essential in order for bidders, other than the incumbent contractor, to effectively price this requirement.

Answer: Potential bidders are in no way required to mirror the delivery schedules and routes employed by the incumbent contractor. However, in general terms, the approach taken by the incumbent contractor is to pick-up and deliver mail to the Crystal Plaza 2, 3 and 4 buildings on foot. Deliveries to all other buildings are supported by one of the three vehicles. In that regard, the Crystal Park 1 and 2 buildings are considered as a single run; Crystal Plaza 1 and 6, Crystal Gateway 2 and 4, Crystal Mall 1, Crystal Square 4, and the South Tower buildings are considered a single run; and Crystal Park 3 and 5 buildings are considered a single run. The number of deliveries to the various mail stops in each building is in line with that outlined in response to Question 40 (i.e., Patent Technology Centers receive three daily pick-up/deliveries, while all other stops receive twice daily service). The PTO does not retain any data relating to the mileage associated with the various mail runs.

4. Question: What are the current delivery schedules and routes for the pedestrian mail messengers? Neither the SOO nor Exhibit B addresses this question.

Answer: See response to question 3.

5. Question: Will the government provide communication devices for the drivers and/or other contractor personnel?

Answer: No.

6. Question: I am confused by your response to question 21 concerning the contract administrative data. You responded that you did not want it included in the proposal, then in the next sentence you state "Please fill in the blanks provided in Section G.4 page 12 of the RFP". Please clarify – are Offerors required to submit POC for Contract Administration (paragraph G4 on page 12 of the RFP) with the proposal? If so, where (in the Technical or Pricing volume) do you want it included?

Answer: To clarify the response to question 21, offerors should provide the information required in Section G.4, page 12 of the RFP on the cover page of the original and three (3) copies of Volume 2, Price Proposal. In addition to the items required under Section L of the RFP, the Volume 2, Price Proposal, should also contain one (1) original and three (3) copies each of the signed Standard Form 33 and the Section B prices, filled in, from the RFP.

7. Question: Attachment “1” to Amendment 0001 shows CLIN 0001AA * - Operation of the USPTO’S Mail Center Facilities (Transition Period). Does this mean you expect the winning contractor to fully man the Mail Center and assume responsibilities for its operation on 15 March 2004, or is the intent to capture the administrative costs (such as hiring the incumbent personnel, meetings with the Contracting Officer and COTR, reviewing existing USPTO Mail Center reports, SOP’s, SOI’s, etc.) associated with the transition period – please clarify.

Answer: The winning contractor will be expected to fully man the Mail Center and assume responsibilities for its operation on April 1, 2004. CLIN 0001AA is intended to capture an offeror’s proposed transition costs, if any, from 15 March 2004 through March 31, 2004.

8. Question: Please provide the number, location, and room number of mailstops at the Carlyle Campus (similar to the data provided for Crystal City).

Answer: Although mail support to the Carlyle campus is expected to begin shortly, at this juncture, the Mail Center has not commenced making mail pick-up and deliveries at Carlyle. As such, we are unable to provide details with respect to building-specific delivery locations. That said, for planning purposes, prospective bidders should assume that Carlyle-related delivery locations should not exceed those associated with the Crystal City building being vacated during the Phases of the move effort (See SOO Exhibit E).

9. Question: Will the USPTO indemnify the contractor in the unfortunate event that a contractor employee is guilty of intentional misconduct/mistakes or acts of omission that results in loss or harm to the agency mission (as per H.11 of the RFP) but without knowledge, consent and/or participation of the contractor?

Answer: No.